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**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION**

IN RE: CATHODE RAY TUBE (CRT)  
ANTITRUST LITIGATION,

Master File No. 3:07-cv-05944-SC

MDL No. 1917

This Documents Relates To:  
  
ALL ACTIONS

**REDACTED DECLARATION OF  
EMILIO E. VARANINI IN SUPPORT  
OF THE ADMINISTRATIVE  
MOTION FOR ORDER ISSUING  
LETTERS OF REQUEST FOR  
TAKING OF EVIDENCE FROM  
WOONG TAE(W.T.) KIM AND  
MYUNG JOON (M.J.) KIM OF THE  
REPUBLIC OF KOREA**

1. I am a Deputy Attorney General with the California Attorney General's Office and am lead counsel for the California Attorney General in the state court case of *State of California et. al. v. Samsung SDI, Co., Ltd.*, Case No. 11-51584 (California Superior Court, San Francisco). This case has been coordinated with this Court's MDL No. 1917 for purposes of fact and expert discovery as well as mediation and settlement. I am admitted to this Court and could, if called as a witness, testify competently to the

1 matters set forth herein. I make this declaration under penalty of perjury under the laws  
2 of the United States and the State of California.

3 2. Besides this case, I have led other international price-fixing and unfair  
4 competition cases involving the State of California. I also have an extensive background  
5 on international antitrust and related issues involving the European Union and China as  
6 well as some knowledge of those same issues involving both the Republic of Korea and  
7 Japan.

8 3. The Attorney General has alleged the existence of an international price-  
9 fixing conspiracy with multilateral and bilateral meetings taking place in Asia and  
10 Europe..

11 4. The Korean Fair Trade Commission found that this global CRT price-  
12 fixing cartel violated its antitrust laws and fined some of the companies that are  
13 Defendants in our case. A true and accurate copy of a certified translation of the  
14 decision of the Korean Fair Trade Commission is attached hereto to this Declaration as  
15 Exhibit 1.

16 5. The allegations of the California Attorney General and other Plaintiffs, as  
17 supported by the findings of the Korean Trade Commission and other antitrust  
18 authorities, necessitate deposing current and former European and Asian employees of  
19 the Defendants who may have knowledge of these meetings during the relevant time  
20 period of 1995 to 2007.

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1 [REDACTED]  
2 [REDACTED]  
3 7. LG does not object to this motion or to the issuance of these two Letters of  
4 Request to take evidence from Woong Tae (W.T.) Kim and Myung Joon (M.J.) Kim.

5 8. LG has provided the Office of the Attorney General with the addresses for  
6 Woong Tae (W.T.) Kim and Myung Joon (M.J.) Kim in the Republic of Korea and that  
7 information is set out in the proposed Letters of Request. It is required under the laws of  
8 the Republic of Korea that a letter of request issue out of, and under the seal of, this Court  
9 for testimony to be taken from Woong Tae (W.T.) Kim and Myung Joon (M.J.) Kim.  
10 But under the laws of the Republic of Korea, Woong Tae (W.T.) Kim and Myung Joon  
11 (M.J.) Kim are not obligated to appear, and if they refuse to appear or give evidence,  
12 they would not incur any penalty of any kind in the State where the proceedings are  
13 instituted.

14 [REDACTED]  
15 [REDACTED]  
16 [REDACTED]  
17 [REDACTED]  
18 [REDACTED]  
19 [REDACTED]  
20 [REDACTED]  
21 [REDACTED]  
22 [REDACTED]  
23 [REDACTED]  
24 [REDACTED]  
25 [REDACTED] the Attorney General has offered use immunity to Woong Tae  
26 (W.T.) Kim and Myung Joon (M.J.) Kim for any testimony they may give in the  
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1 Republic of Korea in response to her questions, should the appropriate Korean judicial  
 2 authorities ask those questions, or questions asked by those appropriate Korean judicial  
 3 authorities themselves, as she is empowered to do under California's antitrust laws, the  
 4 Cartwright Act. *See* Cal. Bus. & Prof. Code §16758. It is anticipated that this offer not  
 5 only will aid in obtaining the voluntary testimony of Woong Tae (W.T.) Kim and Myung  
 6 Joon (M.J.) Kim but also will aid in obtaining the consent of the Republic of Korea to  
 7 this deposition. Should the letters of request be served by the Korean Central Authority,  
 8 and the pertinent Korean judicial authorities consent to asking our questions, we will  
 9 make every reasonable effort to ask questions that the other Plaintiffs' groups would wish  
 10 us to ask. We will also recommend to the relevant Korean authorities that either (a)  
 11 questions, if any, propounded by Defendants to these witnesses be asked and/or (b) that  
 12 Defendants be given an opportunity to cross-examine these witnesses, as those authorities  
 13 may determine is appropriate.

14 11. The request made to this Court through the filing of a motion under Civil  
 15 Local Rule 7.11 is an urgent one: the letters of request, if executed by this Court, must be  
 16 promptly delivered to the relevant authorities in the Republic of Korea so that evidence  
 17 may be taken from Woong Tae (W.T.) Kim and Myung Joon (M.J.) Kim before the cut-  
 18 off of fact discovery on September 5, 2014.

19  
 20 Dated: May 12, 2014

Respectfully Submitted,

21  
 22 KAMALA D. HARRIS  
 Attorney General of California

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 24 *s/Emilio E. Varanini*  
 25 EMILIO E. VARANINI  
 Deputy Attorney General  
 Attorneys for Plaintiffs  
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